

REMARKS

In accordance with the foregoing, claims 1, 2, 5, 7, 8, and 11-15 are amended and new claims 16-20 are presented. No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims and new claims are respectfully requested.

Claims 1-20 are pending and under consideration.

CLAIM AMENDMENTS

Claims 1, 7, and 11 are amended to recite, respectively, an information distributing method, a medium, and an apparatus, including, using claim 1 as an example, "displaying the information of the set corresponding to the headline the headline identity indicates; and billing the user for the information of the set selected for display by the user."

Claim 2 is amended to recite a method including "displaying information corresponding to the selected set; and billing the user for the displayed information corresponding to the selected set." Claims 5 and 8 are amended to respectively recite a method and a medium, using claim 5 as an example, "displaying headlines according to laying information; and prompting a user to select any of the displayed headlines and request a distribution of an information set corresponding to the selected headline."

Claims 12 and 15 are amended, using claim 12 as an example, to recite an information reception apparatus including "a displaying unit displaying headlines according to the layout information and prompting a user to select any of the displayed headlines."

No new matter is presented in any of the foregoing and, accordingly, approval and entry of the amended claims are respectfully requested.

ITEM 5: REJECTION OF CLAIMS 2, 4, 11, AND 13-15 35 U.S. C. §102(e) AS BEING ANTICIPATED BY NEHAB(U.S.P. 6,029,182)

Claims 2, 4, 11, and 13-15 are rejected under 35 U.S. C. §102(e) as being anticipated by Nehab. The rejections are traversed.

As provided in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention.

Independent claims 2 and 11, both as amended, respectively recite an information distributing method, and an apparatus, using claim 2 as an example, including "outputting the retrieved handling information as a way the information sets are handled in the information source as layout information to the user terminal; receiving from the user terminal an identity of a

selected information set; and distributing to the user terminal and displaying information corresponding to the selected set; and billing the user for the displayed information corresponding to the selected set."

Independent claim 13, as amended, recites an information distributing method including "adding information indicating a way information sets are handled in an information source as layout information; receiving a request for information from the user terminal based on the added information; and distributing to the user terminal and displaying the information of the set corresponding to received request; and billing the user for the information of the set selected for display by the user."

Independent claim 15, as amended, recites an information reception apparatus including "displaying means for displaying headlines according to the layout information and prompting a user to select any of the displayed headlines."

Nehab does not support an anticipatory-type rejection by not describing the features recited in the present application's independent claims.

Nehab merely teaches allowing a user to customize, for example, a display layout of content data.

In contrast, according to aspects of the present invention a layout for displaying content data is designed fixedly by a provider of the content data. According to aspects of the present invention, data such as article headlines are displayed according to the layout information generated by the provider of content data. These headlines of articles displayed are laid out in a style employed, for example, in a newspaper printout and illustrated in Fig. 12. (For the convenience of the Examiner, attached to this Amendment is a drawing presenting a layout of an example English newspaper and conveying the same features associated with a Japanese newspaper layout, an example of which is illustrated FIG. 12.)

An advantage of the present invention is a way in which when data is presented, and that it is easier for a user to grasp degrees of importance of parts of the content data associated with these headlines respectively, by a glance. Therefore, according to the present invention, it is possible for a user to select important articles in a more reliable manner.

In addition, according to aspects of the present invention, only information sets corresponding to headlines selected by a user are distributed to a terminal of the user for display in response to the user selection according to the user preferences.

Further, Nehab does not teach "billing the user for the displayed information

corresponding to the selected set."

A conventional system displays an article corresponding to a headline selected by a user as result of prompting the user to select anyone from the displayed headlines, and billing the user for the article displayed. With such a configuration, once any article is displayed, a conventional system will disadvantageously bill for the article regardless of importance the user places on the article.

Documents, such as newspapers using paper as a medium for displaying information, indicate degrees of importance associated with respective articles by differentiating sizes employed for corresponding headline characters and their locations within a page so that the indicated degrees of importance are recognized at a glance by the user. These degrees of importance reflect a view of a publisher of the document. While there may be an article which the publisher views as important that may not be important for a certain reader, in many cases articles indicated to be important by a publisher are also found important by a large proportion of readers.

According to aspects of the present invention, headlines are displayed on a screen according to a similar concept as that employed for generating documents such as newspapers, e.g., as illustrated in FIG. 12. As result of headlines being displayed in such manner on a screen, it is possible for a user to estimate degrees of importance of respective articles from headline locations within the screen and select an article associated with a headline that appears more important (namely, purchase such an article) in a higher preference.

Consequently a user can select and purchase important articles without having to pay for a less important article.

Summary

Since features recited by claims 2, 4, 11, and 13-15 are not taught by the cited art, the rejection should be withdrawn and claims 2, 4, 11, and 13-15 allowed.

ITEM 8: REJECTION OF 1-3, 5-10, AND 12 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER NEHAB IN VIEW OF FERGUSON (U.S.P. 5,649,186)

Claims 1-3, 5-10, and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nehab in view of Ferguson.

As provided in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 1981, (CCPA 1974)."

Applicants submit features recited by claims 1-3, 5-10, and 12 are not taught by the cited art, alone or in combination.

Independent claims 1-2, both as amended recite an information distributing method, using claim 1 as an example, including "displaying the headlines on the user terminal according to the layout information so the user can select any of the displayed headlines and receiving an identity of the selected headline from the user terminal; distributing to the user terminal and displaying the information of the set corresponding to the headline the headline identity indicates; and billing the user for the information of the set selected for display by the user."

Claims 5 and 8, both as amended recite a method, using claim 5 as an example, "displaying headlines according to laying information; and prompting a user to select any of the displayed headlines and request a distribution of an information set corresponding to the selected headline."

Claims 12, as amended, recites an apparatus including "a displaying unit displaying headlines according to the layout information and prompting a user to select any of the displayed headlines.

The Action concedes that Nehab does not disclose that the information can be only the headline information. However, in support of the rejection of claim 1, for example, the Examiner contends that Ferguson teaches a method, apparatus, and computer readable medium

in which only the headline information is presented to the user, until the user selects the headline, which links to the article that the headline designates.

(Action at page 6).

Using this contention, the Examiner then concludes "it would have been obvious. . . to have combined the methods of Nehab and Ferguson because it would have allowed the amount of data initially transmitted and maintained to be reduced." (Action at page 6).

However, Applicants respectfully submit that even if the Examiner's contentions are *arguendo* correct, such an *arguendo* combination does not teach features recited by claims such as "displaying the headlines on the user terminal according to the layout information so the user can select any of the displayed headlines and receiving an identity of the selected headline from the user terminal; distributing to the user terminal and displaying the information of the set corresponding to the headline the headline identity indicates "

Further, none of the cited art, alone or in combination teaches "billing the user for the information of the set selected for display by the user."

Summary

Since features recited by the claims are not taught by the cited art alone or in combination and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1-3, 5-10, and 12 allowed.

NEW CLAIMS

New dependent claims 16-20 are presented to recite features of the present invention in an different fashion. Claims 16-20 recite respectively, a method and a medium, using claim 16 as an example, "wherein the information of the set is an article." This feature patentably distinguishes over the cited art.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Example of layout in English language

XXXX Daily News Paper		
Company "A" became a public Company		
Company C invites Mr. XXXX as its new CEO		Company B files Chapter 11
.....	Company E's Stock Price Soar Looks Promising	Today's Weather

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